IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION No. 26080 of 2003

Between:

The Muslim's Welfare Association, (Regd.No.704/1993) rep. by its President, Mohd.Sameeuddin, S/o.Ghaisuddin,
R/o.Attili Village, Tanuku Taluk, West Godavari District.

..... PETITIONER

AND

1 The A.P.State Wakf Board, rep. by its Chief Executive Officer, Haj House Complex, Nampally, Hyderabad.
2 The District Revenue Officer-cum-District Wakf Officer, Collectorate, Tanuku, W.G.District.
3 The Inspector-Auditor, Wakfs, O/o.The District Revenue Officer-cum-District Wakf Officer, Collectorate, Tanuku, W.G.District.
4 Mohd. Alam, S/o. Meera Moinuddin, D.No. 492(2), Canal Road, Attili, West Godavari District.
5 Keta Satyanarayana, S/o. Venkanna, D.No. 494, Poultry Farm, Attili, West Godavari District.
6 Chuttagulla Isack, S/o. Anjaneyulu, D.No. 494, Bricks Unit, Attili, West Godavari District.

(RR-4 to 6 are impleaded as per Court Order Dated 29-12-2003 in WPMP 34037 of 2003).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of MANDAMUS declaring the inaction on the part of the respondents in not initiating action under Section 54 of the Act in pursuance of the representations dt.611-2003 and 20-11-2003 in respect of the Iddgah land situated at R.S.No.918/4, admeasuring Ac.0.53 cents situated at Attili Village, Tanuku, W.G.District as being illegal, arbitrary and amounts to dereliction of duties imposed under Section 54 of the Act as well as G.O.ms.No.59, Minorities Welfare (Wakf-II) Department, Dt.22-4-1997.

Counsel for the Petitioner : Mr.SYED SHAREEF AHMED

Counsel for Respondents 1 & 3: Mr.S.M.SUBHAN

Counsel for Respondent No.2 : G.P. FOR MINORITIES WELFARE

Counsel for Respondent No.4 : Mr.K.MURALIDHAR REDDY

Counsel for Respondent No.5 : Mr.K.L.N.SWAMI

Counsel for Respondent No.6 : None appeared

The Court made the following : ORDER:

Heard both sides and at their request, the main writ petition itself is taken up for disposal.

It is represented that having regard to the interim directions already passed, the respondents have already initiated action under Section 54 of Wakf Act, 1995 as against the encroachers. In view of the same, nothing survives in this writ petition.

Accordingly the writ petition is dismissed. No costs.

Sd/- M.A. NAYEEM PASHA,

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER.

TO

1. The Chief Executive Officer, A.P.State Wakf Board, Haj-

House Complex, Nampally, Hyderabad.

2 The District Revenue Officer-cum-District Wakf Officer, Collectorate,

Tanuku, W.G.District.

3 The Inspector-Auditor, Wakfs, O/o.The District Revenue Officer-cum-District Wakf Officer, Collectorate, Tanuku, W.G.District.

4 Two CCs to the G.P. for Minorities Welfare, High Court of A.P. Hyderabad(OUT)

5. Two CD copies.

Kul.

Dt: 20-8-2004

Order

W.P.No. 26080 of 2003

Dismissing the W.P. without costs.